

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CATRINA SMITH,

Plaintiff,

v.

LAKE TRAVIS I.S.D.,

Defendant.

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1:17-CV-393-RP

ORDER

Before the Court is the above-styled cause of action, in which Plaintiff Catrina Smith is proceeding *pro se*. Defendant Lake Travis I.S.D. filed a Motion to Dismiss on May 25, 2017. (Dkt. 7). Responses to dispositive motions are due no later than 14 days after the filing of the motion. (W.D. Tex. Local Rule CV-7(e)(2)). Plaintiff's response was therefore due on or before June 8, 2017. The Court's record reflects, however, that no response has been filed.

When there is no response filed within the time period described above, the Court is permitted to grant the motion in question as unopposed. (W.D. Tex. Local Rule CV-7(e)(2)). This is true even when a party is proceeding *pro se*, as "pro se parties must still comply with the rules of procedure." *Ogbodiegwu v. Wackenhut Corrs. Corp.*, 202 F.3d 265, 1999 WL 1131884, at *2 (5th Cir. 1999) (per curiam). "The notice afforded by the Rules of Civil Procedure and the local rules' is 'sufficient' to advise *pro se* litigants of their burden;" and "no 'particularized additional notice' for *pro se* litigants is required." *Thorn v. McGary*, 2017 WL 1279222, at *2 (5th Cir. April 5, 2017) (quoting *Martin v. Harrison Cty. Jail*, 975 F.2d 192, 193 (5th Cir. 1992) (per curiam)).

Given the infancy of the instant case, however, the Court believes it would be appropriate to give Plaintiff an opportunity to file a response. **IT IS THEREFORE ORDERED** that Plaintiff's

response to Defendant's Motion to Dismiss is due on or before August 11, 2017. **IT IS FURTHER ORDERED** that the Clerk's Office mail a copy of this Order to Plaintiff via certified mail. Plaintiff's address is listed as 7100 Dallas Drive in Austin, Texas, 78729.

SIGNED on July 31, 2017.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE